

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

**CIVIL CASE NO. 1:07cv184**

<b>BORGWARNER, INC. and</b>	)	
<b>BORGWARNER TURBO</b>	)	
<b>SYSTEMS, INC.,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>vs.</b>	)	<b><u>ORDER</u></b>
	)	
<b>HONEYWELL INTERNATIONAL, INC.,</b>	)	
	)	
<b>Defendant.</b>	)	
	)	
_____	)	

**THIS MATTER** is before the Court on Honeywell's Unopposed Motion to Reschedule the Pretrial Conference [Doc. 191].

The Defendant Honeywell International, Inc. (Honeywell) moves the Court to reschedule the pretrial conference, which is currently scheduled to take place on May 4, 2011 at 9 a.m., to a date the following week. For grounds, Honeywell states that its trial counsel, Robert G. Krupka, is scheduled to be in trial that week before the International Trade Commission. Honeywell further represents that the Plaintiffs do not oppose its request. [Doc. 191].

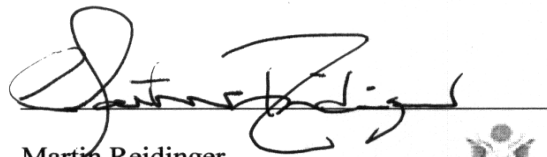
The Court is unable to accommodate Honeywell's request to reschedule the pretrial conference, as this Court has a criminal jury trial term scheduled to commence on May 9, 2011. Accordingly, Honeywell's motion will be denied.

While it is the Court's usual practice to require all trial counsel to be present at the final pretrial conference of a case, the Court will excuse Mr. Krupka from attending the pretrial conference of this matter, if he remains in another trial at that time (i.e. it has not concluded or been continued), and so long as the attorneys who attend on behalf of Honeywell in his stead are well-versed in the case and are prepared to discuss and argue any trial-related issues with the Court.

**IT IS, THEREFORE, ORDERED** that Honeywell's Unopposed Motion to Reschedule the Pretrial Conference [Doc. 191] is **DENIED**.

**IT IS SO ORDERED.**

Signed: March 23, 2011

  
Martin Reidinger  
United States District Judge

